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## Rules, Regulations, Orders

### TITLE 36—PARKS AND FORESTS FOREST SERVICE

#### OZARK NATIONAL FOREST, ARKANSAS TRESPASS REGULATION

By virtue of the authority vested in the Secretary of Agriculture by the Act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the Act of June 4, 1897 (30 Stat., 11, 35), I, H. A. Wallace, Secretary of Agriculture, do make and publish the following regulation for the occupancy, use, protection and administration of the National Forests, to be in force and effect from the 1st day of December, 1938, and to constitute a part of the National Forest Manual:

Reg. T-7½. The following acts are prohibited on lands of the United States within the boundaries of the Sylamore Ranger District, Ozark National Forest, Arkansas:

Permitting dogs to run at large, or having in possession dogs not in leash or confined.

In testimony whereof, I have hereunto set my hand and official seal at the City of Washington this 23d day of November, 1938.

[SEAL]      H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-3517; Filed, November 23, 1938;  
12:07 p. m.]

### TITLE 49—TRANSPORTATION AND RAILROADS INTERSTATE COMMERCE COMMISSION

#### ORDER IN THE MATTER OF ANNUAL RE- PORTS FROM EXPRESS COMPANIES

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 17th day of November, A. D. 1938.

The subject of the requirement of annual reports from Express companies being under consideration:

#### It is ordered:

1. That the order of this Commission dated December 7th, 1937,<sup>1</sup> in the matter of annual reports from Express companies, is hereby annulled.

2. That all Express companies subject to the provisions of the Interstate Commerce Act be, and they hereby are, required to file an annual report for the year ending December 31, 1938, and for each succeeding year until further order, in accordance with Annual Report Form H (Express), which is hereby approved and made a part of this order.<sup>2</sup>

It is further ordered, That the annual report shall be filed in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]      W. P. BARTEL,  
Secretary.

[F. R. Doc. 38-3519; Filed, November 23, 1938;  
12:36 p. m.]

#### ORDER IN THE MATTER OF ANNUAL REPORTS FROM ELECTRIC RAILWAYS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 17th day of November, A. D. 1938.

The subject of the requirement of annual reports from Electric railway companies being under consideration:

#### It is ordered:

1. That the order of this Commission dated October 28, 1937,<sup>3</sup> in the matter of annual reports from Electric Railways, is hereby annulled.

<sup>1</sup> 2 F. R. 2802 (3243 DI).

<sup>2</sup> Filed as a part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Interstate Commerce Commission.

<sup>3</sup> 2 F. R. 2483 (2886 DI).

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2. That all Electric railway companies subject to the provisions of the Interstate Commerce Act be, and they hereby are, required to file an annual report for the year ending December 31, 1938, and for each succeeding year until further order, in accordance with Annual Report Form G (Electric Railways), which is hereby approved and made a part of this order.<sup>3</sup>

It is further ordered, That the annual report shall be filed, in duplicate, in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31 of the year following the one to which it relates.

By the Commission, division 4.

[SEAL]      W. P. BARTEL,  
Secretary.

[F. R. Doc. 38-3520; Filed, November 23, 1938;  
12:36 p. m.]





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## Notices

### DEPARTMENT OF LABOR.

#### Wage and Hour Division.

#### NOTICE OF HEARING ON PROPOSED AMENDMENTS OF SECTIONS 536.1 AND 536.2 (AREA OF PRODUCTION) OF REGULATIONS ISSUED UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Whereas, Section 7 (c) of the Fair Labor Standards Act of 1938 provides that the maximum hours provision contained in Section 7 (a) of said Act shall not apply during a period or periods of not more than fourteen workweeks in the aggregate in any calendar year to employees of an employer engaged in

The first processing, within the area of production (as defined by the Administrator), of any agricultural or horticultural commodity during seasonal operations.

Whereas, Section 13 (a) of the Fair Labor Standards Act of 1938 provides that the wages and hours provisions contained in Sections 6 and 7 of said Act shall not apply with respect

(10) to any individual employed within the area of production (as defined by the Administrator), engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products.

and

Whereas, pursuant to the authority contained in said section, the Administrator of the Wage and Hour Division on October 20, 1938<sup>1</sup> issued the following regulations:

Sec. 536.1 "Area of production" as used in Section 7 (c) of the Fair Labor Standards

Act.—An employer shall be regarded as engaged in the first processing of any agricultural or horticultural commodity during seasonal operations within the "area of production" within the meaning of Section 7 (c)

(a) if the first processing is conducted on a farm and is performed on agricultural or horticultural commodities produced exclusively on such farm, or

(b) if the commodities processed are obtained from farms in the immediate locality of the processing establishment and the number of employees there engaged in such processing does not exceed seven.

Sec. 536.2 "Area of production" as used in Section 13 (a) (10) of the Fair Labor Standards Act.—An individual shall be regarded as employed in the "area of production" within the meaning of Section 13 (a) (10), in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products.

(a) if he is engaged in such work on a farm and on agricultural or horticultural commodities produced exclusively on such farm, or

(b) if the agricultural or horticultural commodities are obtained by the establishment where he is employed from farms in the immediate locality and the number of employees in such establishment does not exceed seven.

Sec. 536.3 *Petition for amendment of regulations.*—Any interested persons or association wishing a revision of the foregoing regulations may make application to the Administrator in writing to amend Sections 536.1 and 536.2 by increasing or decreasing the maximum of employees permitted within the exemption as defined. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the regulations is set forth, the Administrator will either schedule a hearing with due notice to interested parties or will make other provision for affording interested parties an opportunity to present their view either in support of or in opposition to the proposed changes.

and

Whereas, The Texas Citrus Shippers Association, The West Michigan Growers and Shippers Association, The Agricultural Producers' Labor Committee, The International Apple Association, and sundry other parties have filed petitions with the Administrator to amend said Section 536.1 of said regulations by striking therefrom the phrase

"and the number of employees there engaged in such processing does not exceed seven,"

or to amend said Section 536.2 of said regulations by striking therefrom the phrase

"and the number of employees in such establishment does not exceed seven."

or modify both said sections by sundry other amendments.

Now, therefore, notice is hereby given of a public hearing to commence on December 14, 1938, at 10 o'clock a. m. in the Raleigh Hotel, Twelfth Street and Pennsylvania Avenue, Washington, D. C., before Mr. Merle D. Vincent, the presiding officer hereby designated, at which interested parties will be heard on the following question:

What, if any, amendment should be made of Section 536.1 or Section 536.2 of the regulations issued under the Fair Labor Standards Act of 1938 in respect to the definition of "area of production" for fresh fruits and vegetables.

Said petitions may be examined in Room 5321, United States Department of Labor, Washington, D. C.

Signed at Washington, D. C., this twenty-second day of November, 1938.

ELMER F. ANDREWS,  
Administrator.

[F. R. Doc. 38-3515; Filed, November 23, 1938; 10:22 a. m.]

### SECURITIES AND EXCHANGE COMMISSION.

#### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 22nd day of November 1938.

[File No. 1-737]

#### IN THE MATTER OF LISTING AND REGISTRATION OF THE CERTIFICATES OF PROPRIETARY INTEREST, \$100 PAR VALUE, OF TEXAS PACIFIC LAND TRUST

##### ORDER SETTING HEARING

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Certificates of Proprietary interest, \$100 Par Value, of Texas Pacific Land Trust; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Wednesday, December 14, 1938, at the office of the Securities and Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 38-3518; Filed, November 23, 1938; 12:30 p. m.]

<sup>1</sup> 3 F. R. 2536 DI.